

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

**RIDDHI VIINAYAK HOTELS, LLC §
D/B/A SUBURBAN EXTENDED STAY AND §
MOTEL 6,** §

Plaintiff, §

v. §

**WILLIAM S. WILLIS AND THE §
INSURANCE CENTER – LANCASTER §
MCADEN WILLIS SMITH,** §

Defendants. §

**PLAINTIFF'S DESIGNATION OF
EXPERT WITNESSES**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Riddhi Vinayak Hotels, LLC D/B/A Suburban Extended Stay and Motel 6,

Plaintiff, in the above-styled and numbered cause of action, and files this Plaintiff's Designation of Expert Witnesses, in keeping with the Federal Rules of Civil Procedure and governing Local Rules. All of the following expert witnesses are also hereby designated as persons with knowledge of relevant facts.

**I.
EXPERTS DESIGNATED BY PLAINTIFF**

Plaintiff hereby designate the following persons as testifying experts on behalf of Plaintiff. Plaintiff reserves the right to call at trial, either by subpoena or deposition, all persons listed within this Expert Designation, as well as any supplements and amendments hereto. In addition, Plaintiff reserves the right to use all or a portion of such expert testimony for factual purposes or any other use at time of trial.

Plaintiff's Retained Experts:

1. Michael Unger
Haden Claims Services
1540 Keller Pkwy., Suite 108-320
Keller, Texas 76248

Mr. Unger is a licensed public adjuster as well as an experienced inspector and appraiser. He is an expert in investigating damages related to property losses such as the weather-related loss at issue in this matter. Mr. Unger's testimony will address all topical areas contained within any and all expert affidavits and reports, both original and supplemental, created by this expert regarding the subject properties, as well as any topic addressed by this expert within any deposition testimony he provides.

Mr. Unger's testimony will include, but not be limited to, the effect of a weather-related event upon the subject properties, the structural damage, both actual and consequential, that resulted from the same, and the resulting calculation of the monetary value to repair the damages to Plaintiff's properties. Mr. Unger may also offer rebuttal testimony as to any and all competing experts presented by any other party to this matter. Furthermore, in compliance with the Federal Rules of Civil Procedure, all additional required materials in regard to this expert are attached hereto or will be supplemented accordingly.

See Exhibit A: Mr. Michael Unger Expert Affidavit and CV.

Plaintiff reserves the right to amend and/or supplement this designation pursuant to the Federal Rules of Civil Procedure, governing Local Rules, Court Order, or agreement between the parties.

2. Phil Mayfield
c/o Mayfield Building Envelope Consultants
Principle Consultant
P.O. Box 140390
Dallas, Texas 75214
817-572-4747

Mr. Mayfield is a construction and roofing expert and a principal building envelope consultant. He is an expert in determining the cause of damage to roofs and building structures, including damage from weather-related events, such as the one that impacted Plaintiff's properties in this matter. Mr. Mayfield's testimony will address all topical areas contained within any and all expert affidavits and reports, both original and supplemental, created by this expert regarding the subject property, as well as any topic addressed by this expert within any deposition testimony he provides

Mr. Mayfield's testimony will include, but not be limited to, the date on which the

precipitating event occurred, the effect of the subject weather event in this matter upon the subject properties, and the structural damage, both actual and consequential, that resulted from the same. Mr. Mayfield may also offer rebuttal testimony as to any and all competing experts presented by any other party to this matter. Furthermore, in compliance with the Federal Rules of Civil Procedure, all additional required materials in regard to this expert are attached hereto or will be supplemented accordingly.

See Exhibit B: Phil Mayfield Expert Affidavit and CV.

Plaintiff reserves its rights to supplement and/or amend any of the opinions, findings and/or conclusions contained within any expert report provided, pursuant to the Federal Rules of Civil Procedure, Court Order, and/or agreement between the parties.

3. Lee Ellis

Ellis Realty & Insurance Agency
701 1st Street W.
Hampton, South Carolina 29924
803-943-2911

Mr. Ellis is an experienced insurance agent and a bad faith expert. His testimony will address all topical areas contained within any and all expert affidavits and reports, both original and supplemental, created by this expert regarding the subject properties, as well as any topic addressed by this expert within any deposition testimony he provides.

Mr. Ellis' testimony will include, but not be limited to, an analysis of the insurance policy sold to Plaintiff, the relevant South Carolina law regarding insurance policies, and the responsibilities of an insurance agent in procuring coverage. Mr. Ellis may also offer rebuttal testimony as to any and all competing experts presented by any other party to this matter. Furthermore, in compliance with the Federal Rules of Civil Procedure, all additional required materials in regard to this expert are attached hereto or will be supplemented accordingly.

See Exhibit C: Lee Ellis Expert Report and CV.

Plaintiff reserves its rights to supplement and/or amend any of the opinions, findings and/or conclusions contained within any expert report provided, pursuant to the Federal Rules of Civil Procedure, Court Order, and/or agreement between the parties.

4. Scott G. Hunziker
Zerbe, Miller, Fingeret, Frank & Jadav
3009 Post Oak Blvd., Suite 1700
Houston, Texas 77056
713-350-3523

Mr. Hunziker will offer testimony in regard to any of Plaintiff's claims for reasonable and necessary attorney's fees in this matter. Mr. Hunziker may also offer rebuttal testimony to any and all competing experts presented by any other party to this matter in regard to attorney's fees.

See Exhibit D: Scott Hunziker Expert Report and CV.

Plaintiff reserves its rights to supplement and/or amend any of the opinions, findings and/or conclusions contained within any expert report provided, pursuant to the Federal Rules of Civil Procedure, Court Order, and/or agreement between the parties.

II. **NON-RETAINED EXPERTS**

5. Mitchell Adjusting
Public Insurance Adjuster
1500 Marina Bay Drive Suite 3475
Clear Lake Shores, Texas 77568
850-276-6893

Mitchell Adjusting is a public adjusting firm retained by Plaintiff to assist in the claims process. Mitchell Adjusting and its representatives' testimony will address all topical areas contained within any and all estimates and/or reports, both original and supplemental, created by Mitchell Adjusting regarding the subject properties, as well as any topic addressed by it within any deposition testimony it may provide.

The testimony of these witnesses will include, but not be limited to the date on which the precipitating event occurred, the effect of the subject weather-related event, namely wind and hail, upon the subject properties, the structural damage, both actual and consequential, that resulted from same, and the resulting calculation of damages to said properties. These witnesses may also offer rebuttal testimony as to any and all competing experts presented by any other party to this matter. Furthermore, in compliance with the Federal Rules of Civil Procedure, all additional required materials in regard to these experts are attached hereto or will be supplemented accordingly.

See Exhibit E: Mitchell Adjusting Estimate.

Plaintiff reserves its rights to supplement and/or amend any of the opinions, findings and/or

conclusions contained within any expert reports provided, pursuant to the Federal Rules of Civil Procedure, Court Order, and/or agreement between the parties.

**III.
OTHER PARTIES' EXPERTS**

Plaintiff hereby further designate and reserve the right to call at trial, either by subpoena or deposition, all persons designated by any other party within this lawsuit, to provide expert testimony at the time of trial. Plaintiff is not necessarily adopting any or all of the opinions of such individuals, agreeing that they are a qualified expert under Federal and local laws. This includes any individual who is at any time de-designated by any other party in this matter.

**IV.
RIGHT TO DESIGNATE/DE-DESIGNATE**

Plaintiff reserves the right to designate additional experts as allowed by Court Order, the Federal Rules of Civil Procedure and governing Local Rules, or agreement between the parties. Plaintiff further reserve the right to de-designate any experts included herein, or to classify them as consulting experts, in accordance with Federal law.

Respectfully submitted,

/s/ Vincent A. Sheheen
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served upon the following counsel of record via email pursuant to the Federal Rules of Civil Procedure on May 9, 2022.

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